



THE CITY OF UPLAND

EXECUTIVE MANAGEMENT

COMPENSATIONAND BENEFIT PLAN

Updated July 1, 2022

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**THE CITY OF UPLAND
EXECUTIVE MANAGEMENT EMPLOYEES**

Compensation and Benefit Plan

ARTICLE 1 – PURPOSE

Executive Management employees are not represented by an employee organization. The Executive Management positions serve at the will and pleasure of the City Manager.

This compensation and benefit plan document is intended as a comprehensive document to define and describe the amounts of compensation and benefits for Executive Management Employees. However, the terms and conditions of employment for the Executive Management Employees may also be addressed in individual employment contracts. If an individual's employment contract agreement conflicts with this document, then the provision of the agreement will supersede the provisions of this document.

ARTICLE 2 – MANAGEMENT RIGHTS

The rights of the CITY include, but are not limited to the exclusive right to:

Determine the mission of its constituent departments, commissions and boards; Set standards of service; Determine the procedure and standards for employment and promotion; Direct its employees; Relieve its employees from duty because of lack of work or for other lawful reasons; Maintain efficiency of government operations; Determine the methods, means and personnel by which government operations are to be conducted; Determine the content of job classifications; Take all necessary actions to carry out its mission in emergencies; Exercise complete control and discretion over its organization and the technology of performing its work; To discharge, suspend, demote, reprimand, withhold salary increases or otherwise discipline employees for cause; To establish employee performance standards, including, but not limited to, quality and quantity standards and to require compliance.

The City reserves the right to contract out any work it deems necessary in the interest of efficiency, economy, improved work product, or emergency.

Notwithstanding anything to the contrary in this section, in any other provision of this chapter of the Upland Municipal Code, or in any other presently existing ordinance, resolution, agreement, rule, policy, practice or other city enactment of any type or nature, all present and future department heads shall be deemed and are designated as at-will employees who each serve at the pleasure of the City Manager, and accordingly the City Manager may reduce the salary of, suspend, demote or discharge any department head,

without prior notice and without cause. No department head shall have any administrative right of due process in connection with any reduction in salary, suspension, demotion or discharge, and no department head shall have any right of appeal to the board of review or the city council. The City Manager's decision as regards the employment status of a department head shall be final and absolute. No department head shall have the right or authority to undertake any of the rights or powers specified in Upland Municipal Code Sections 2.36.140, 2.36.150, 2.36.160 and 2.36.170. (Ord. 1790 § 2, 2005; prior code § 2350.13)

ARTICLE 3 – COMPENSATION

1. The Executive Management Salary Range Table (Appendix B) is established to provide the minimum and maximum monthly salary levels for Executive Management positions.
2. The City Manager is responsible for determination of each individual employee's salary rate within the assigned salary range. Such determination will be based on job performance and or other competitive and economic factors.
 - a. Effective June 26, 2022, all employees shall receive a four- and one-half percent (4.5%) COLA increase in base salary.
 - b. A one-time lump sum Premium Payment in the amount of forty-five hundred dollars (\$4,500) per employee utilizing American Rescue Plan Act (ARPA) funding. The payments will be distributed on a special payroll as soon as practical after approval of the Compensation and Benefits Plan by the City Council. The one-time distribution shall not be pensionable.
 - c. These payments will be pro-rated based on the number of months employees have been employed with the City during April 1, 2020, through March 31, 2021. An employee who was hired after the 15th of the month will not receive credit for working that month for purposes of calculating the pro-rated lump sum.
 - For example, an employee hired on May 16, 2020, will receive a payment of \$3,750 (10 months times \$375).

Employees who have been on an unpaid leave of absence during this time will also have their lump sum payment pro-rated based on the period of unpaid leave of absence.

ARTICLE 4 - RETIREMENT BENEFITS

The City of Upland provides its Executive Management Employees with membership in the California Public Employees Retirement System (CalPERS):

Non-Safety: 2.5% @ 55 retirement formula; The City pays 7% of the 8% employee contribution and the employee pays the remaining 1%. In addition, the employee pays 2.4% of salary (pre-tax) towards the employer contribution rate.

Currently the non-safety executive 8% of the employee share of PERS and the City will pick up the 2.4% employer's cost sharing contribution. Classic Employees hired after January 1, 2020, shall cost share with the City by contributing 1.4% of CalPERS employer contribution in addition to the 8% employee contribution.

Police Chief: 3% @ 55 retirement formula; The City pays 9% of salary (pre-tax), and the employee pays 5.8% towards the Employer Contribution rate. Effective July 1, 2013, the employee will pay 9% towards the employee contribution and the City will pick up the 5.8% employer's cost sharing contribution.

The City contracts with CalPERS for the Single Highest Year Option for all employees who are not defined as "new members" pursuant to the Pension Reform Act of 2013 and the 1959 Survivor Benefit, 3rd level for all members of the bargaining unit. There is an employee cost of \$2.00 per month for the 1959 Survivor Benefit.

The agreement between the City and CalPERS allows for the buy-back of time served by the employee in the Military as defined under Government Code Section 21024.

Pension Reform Act of 2013:

- 1) The parties agree that the provisions of AB 340 (The California Pension Reform Act of 2013) went into effect on January 1, 2013. In addition, if there is any other clean up or other retirement legislation which goes into effect during this MOU and if there are provisions of that legislation which, by law automatically goes into effect, it shall do so. Either party may request to negotiate over the impact of such subsequent legislation.
- 2) Two Tier Retirement: Pursuant to the Act, for "new members" (as defined by the Act) who are employees hired after January 1, 2013, they will be hired pursuant to the 2% @ 62 retirement formula (non-safety) and 2.7% @ 55.

For "new members" (as defined by the Act) who are employees hired after January 1, 2013, final compensation will be based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement.

ARTICLE 5 – HEALTH INSURANCE – CAFETERIA PLAN

Effective January 1, 2023, employees will receive fourteen hundred dollars (\$1,400) per month for the purchase of health insurance benefits through the City's Cafeteria Plan. The health insurance options under the City's Cafeteria Plan include medical insurance, dental insurance, and vision insurance. Employees may also contribute any remaining Cafeteria Plan Funds to the City's deferred compensation plan.

An employee may elect not to be covered by the City's Health Insurance if an employee provides proof of health insurance coverage from another source. The City may require proof of alternative coverage at any time.

ARTICLE 6 – RETIREE HEALTH INSURANCE REIMBURSEMENT

The City will provide retiree medical insurance reimbursement in accordance with the following schedule for employees who have health insurance and are paying a premium which exceeds these amounts. An additional \$45 per month allowance is provided for a spouse if the spouse is covered under the employee's insurance. Retirees who are participating in one of the City's health insurance plans will have the PERS administrative fee deducted from their reimbursement. This benefit was eliminated for employees hired after October 1, 2014.

10 - 14 years of service	\$ 72.57 per month
15 - 19 years of service	\$ 96.81 per month
20 - 24 years of service	\$121.05 per month
25 + years of service	\$145.14 per month

ARTICLE 7 – LIFE INSURANCE

The City provides employees in this unit with group life insurance in an amount equal to one times (1x) their annual salary.

ARTICLE 8 – LONG TERM DISABILITY INSURANCE

The City assumes the full premium cost for the employee in the City designated long-term disability program. This benefit will pay 66 2/3% of base salary to a maximum of \$5000 per month after 60 days (or use of all sick leave, whichever is later) to qualified members of this unit.

ARTICLE 9 – 401 (a) AND DEFERRED COMPENSATION PLANS

Effective July 1, 2022, the City will contribute nine percent (9%) of base monthly salary to the City's 401(a) plan on behalf of each employee.

Employees may contribute to the City's 457 (b) (deferred comp) up to the yearly maximum limit as defined by IRS guidelines.

ARTICLE 10 – LONGEVITY PAY

Employees with twenty (20) years or more of continuous service will receive a two- and one-half percent (2.5%) increase in base salary.

ARTICLE 11 – PREVENTATIVE HEALTH BENEFIT

Employees may be reimbursed up to \$225 annually for the purchase of items, classes, memberships, or programs which contribute to physical fitness. This reimbursement shall be made in June of each year. Items which will be considered acceptable for reimbursement are defined in the City's policy on Preventive Health Benefits.

ARTICLE 12 – UNIFORM ALLOWANCE

The Police Chief shall receive an allowance in the amount of one thousand dollars (\$1,000.00) per year after completion of 12 months of employment. A uniform will be provided at time of appointment.

The purpose of the allowance is to provide uniform cleaning or replacement expenses.

Effective, January 1, 2023, this allowance will be paid per pay period in the amount of thirty-eight dollars and forty-six cents (\$38.46).

ARTICLE 13 – VEHICLE ALLOWANCE

The Police Chief shall receive a City vehicle to take home. All other executive management employees receive \$350.00/ month.

ARTICLE 14 – CELL PHONE ALLOWANCE

Employees shall be entitled to a cell phone allowance in the amount of one hundred dollars (\$100) or the use of a City-issued cell phone. If the employee chooses the cell phone allowance the amount shall be subject to applicable withholdings. Employee acknowledges that the City makes no representation with respect to the taxability or non-taxability of the benefits provided under this Section.

ARTICLE 15 – HOLIDAYS

The City of Upland observes the following holidays as official fixed holidays, established by Resolution:

New Year's Day	(January 1)
Martin Luther King Day	(Third Monday in January)
President's Day	(Third Monday in February)
Memorial Day	(Last Monday in May)
Independence Day	(July 4)
Labor Day	(First Monday in September)
Thanksgiving Day	(Fourth Thursday in November)
Friday after Thanksgiving Day	(The Day After the Fourth Thursday in November)
Christmas Day	(December 25)

Each official fixed holiday shall be ten (10) hours unless otherwise noted.

If the holiday falls on a Friday or Saturday, Thursday shall be designated as the holiday and if the holiday falls on Sunday, Monday shall be designated as the holiday.

To be paid for an official fixed City holiday (the days on which the public offices of the City of Upland will be closed) employees must be in a paid status both the day before and the day after the holiday. For example, if a holiday fell on a Monday, and the employee was on a 4/10 work schedule with Fridays off, the employee would be required to be in a paid status on the Thursday before the holiday and the Tuesday following the holiday.

City Hall and most City departments will be permanently closed from Christmas Day through New Year's Day. Christmas. Christmas Day and New Year's Day holidays will be part of this closure except for the case where either holiday falls on a Sunday. In the case that either Christmas Day or New Year's Day falls on a Sunday it will be observed on the following Monday. Employees will receive compensation that will cover their absence from work from December 25th through January 1st. The employee must be an active employee of the City of Upland on the above dates to receive this holiday compensation.

ARTICLE 16 – FLOATING HOLIDAYS

Employees in the unit shall receive twenty (20) hours of Floating Holiday annually. Floating holiday hours which are not used by the first pay period in December will automatically be cashed out on the second pay period in December.

ARTICLE 17 – EXECUTIVE LEAVE

Employees in the unit shall receive eighty (80) hours of executive leave annually. Executive Leave which is not used by the first pay period in December will automatically be cashed out on the second pay period in December.

ARTICLE 18 – SICK LEAVE

Employees in the unit earn sick leave at the rate of eight (8) hours per month, up to a maximum accrual of twelve hundred and fifty (1250) hours. Notification of need for such leave must comply with the City's Administrative Policy on Sick Leave.

ARTICLE 19 – SICK LEAVE ACCRUAL PAYMENT UPON RETIREMENT

Upon service or disability retirement under the PERS retirement plan, employees may elect one of the following options for payment of unused sick leave:

- a. At the time of service or disability retirement, fifty percent (50%) of accrued sick leave may be cashed out at the current hourly rate, up to a maximum of 625 hours; or
- b. Retiring employees may use fifty percent (50%) of accrued sick leave as Personal Leave just prior to retirement, up to a maximum of six hundred and twenty-five (625) hours.

ARTICLE 20 – VACATION

Vacation shall accrue based on the following schedule:

01 – 02 Years of service	80 Hours per year
03 – 05 Years of service	96 Hours per year
06 – 10 Years of service	128 Hours per year
11 – 16 Years of service	136 Hours per year
17 + Years of service	One additional day (10 hours) per year, up to a maximum of 176 hours per year

All employees may accrue vacation up to a maximum of three (3) years of entitlement.

Police Chief:

Vacation shall accrue based on the following schedule:

01 – 02 Years of service	96 Hours per year
03 – 05 Years of service	120 Hours per year
06 – 16 Years of service	152 Hours per year
17 + Years of service	One additional day (10 hours) per year, up to a maximum of 176 hours per year

All employees may accrue vacation up to a maximum of three (3) years of entitlement.

ARTICLE 21 – VACATION BUYBACK

In December of every year, Executive employees may be paid cash in lieu of unused vacation, sick leave, and/or executive leave for up to 80 hours.

Furthermore, an additional 80 hours of vacation can be cashed out in June of each year.

ARTICLE 22 – BEREAVEMENT LEAVE

Employees may take up to 30 hours annually per occurrence (January 1 through December 31) with pay in the event of a death of the following: mother, father, grandfather, grandmother, brother, sister, spouse, child, grandchild, and employee spouse's father, mother, grandfather, grandmother, brother, sister and any relative who has resided with the employee for at least six (6) months. Adoptive relatives and step relatives shall count the same as relatives by birth. Notification of need for such leave must comply with the City's Administrative Policy on Sick Leave.

The City will consider a request for bereavement leave for the death of a member's aunt and uncle on a case-by-case basis.

Executive Management may also take up to four (4) hours per year to attend funeral services.

APPENDIX A

<u>Grade</u>	<u>Classification Title</u>
96	City Manager
83	Assistant City Manager
94	Chief of Police
3247	Public Works Director
3243	Development Services Director

APPENDIX B

City of Upland
Executive Salary Schedule
Effective 06/26/2022

		STEP													
Job Description	Grade	1	2	3	4	5	6	7	8	9	10	11	12	13	
ASSISTANT CITY MANAGER	83	Hourly	77.08	79.01	80.98	83.01	85.08	87.21	89.39	91.63	93.92	96.26	98.67	101.14	103.67
		Monthly	13,360.88	13,694.90	14,037.27	14,388.20	14,747.91	15,116.61	15,494.52	15,881.89	16,278.93	16,685.91	17,103.06	17,530.63	17,968.90
		Yearly	160,330.50	164,338.78	168,447.25	172,658.43	176,974.91	181,399.27	185,934.27	190,582.62	195,347.18	200,230.87	205,236.66	210,367.57	215,626.77
CHIEF OF POLICE	94	Hourly	101.14	103.67	106.26	108.91	111.64	114.43	117.29	120.22	123.23	126.31	129.47	132.70	136.02
		Monthly	17,530.63	17,968.90	18,418.12	18,878.57	19,350.54	19,834.30	20,330.16	20,838.42	21,359.38	21,893.36	22,440.70	23,001.71	23,576.76
		Yearly	210,367.57	215,626.77	221,017.45	226,542.89	232,206.46	238,011.63	243,961.94	250,061.00	256,312.52	262,720.33	269,288.34	276,020.56	282,921.08
CITY MANAGER	96	Hourly	106.26	108.91	111.64	114.43	117.29	120.22	123.23	126.31	129.47	132.70	136.02	139.42	142.91
		Monthly	18,418.12	18,878.57	19,350.54	19,834.30	20,330.16	20,838.42	21,359.38	21,893.36	22,440.70	23,001.71	23,576.76	24,166.18	24,770.33
		Yearly	221,017.45	226,542.89	232,206.46	238,011.63	243,961.94	250,061.00	256,312.52	262,720.33	269,288.34	276,020.56	282,921.08	289,994.10	297,243.96
DEVELOPMENT SERVICES DIRECTOR	3243	Hourly	65.13	66.75	68.42	70.14	71.89	73.69	75.54	77.42	79.35	81.34	83.37	85.45	87.59
		Monthly	11,289.44	11,570.20	11,859.45	12,157.21	12,460.65	12,772.59	13,093.03	13,419.16	13,753.81	14,099.76	14,451.41	14,811.56	15,183.06
		Yearly	135,473.30	138,842.35	142,313.42	145,886.50	149,527.78	153,271.07	157,116.39	161,029.89	165,045.70	169,197.06	173,416.89	177,738.75	182,196.72
PUBLIC WORKS DIRECTOR	3247	Hourly	67.78	69.47	71.20	72.98	74.82	76.68	78.60	80.56	82.57	84.63	86.76	88.92	91.14
		Monthly	11,748.84	12,040.94	12,341.54	12,650.66	12,968.26	13,291.55	13,623.33	13,963.62	14,312.45	14,669.77	15,038.42	15,412.76	15,798.44
		Yearly	140,986.08	144,491.25	148,098.43	151,807.91	155,619.12	159,498.54	163,479.95	167,563.38	171,749.43	176,037.18	180,461.04	184,953.12	189,581.31